BEFORE THE SUPREME COURT OF THE STATE OF FLORIDA

JAN 2 3 2001

CLERK, SUPREME COURT

INQUIRY CONCERNING A JUDGE, MATTHEW E. MCMILLAN, CASE NOS. 99-10 & 00-17

SC CASE NOS.:

95,886

00-703

## STIPULATION FOR SUSPENSION

The undersigned Chairman and counsel of the Florida Judicial Qualifications Commission ("JQC"), and the undersigned Respondent and counsel for the Respondent, Judge Matthew E. McMillan, hereby stipulate and agree that this Court may order that the Respondent be suspended with pay pending this Court's disposition of these proceedings in which the Hearing Panel for the Judicial Qualifications Commission has recommended to this Court that Respondent be removed as a County Court Judge for Manatee County, Florida. The Findings, Conclusions and Recommendations by the Hearing Panel of the Judicial Qualifications Commission were filed with this Court on January 10, 2001, and an Order to Show Cause was issued on January 12, 2001.

It is requested that the Respondent's suspension with pay become effective upon the entry of an Order by this Court approving this Stipulation and be effective until further order of this Court.

Chairman, JQC

Honorable James R. Wolf First District Court of Appeal 201 Martin I. King Jr. Blvd. Tallahassee, FL 32399-1850

Counsel for Judicial Qualifications Commission

By: Marvin E. Barkin, Esq. Florida Bar No. 003564 Michael K. Green, Esq. Florida Bar No. 763047 Post Office Box 1102 Tampa, FL 33601-1102 813/223-7474

Lansing C. Scriven, Esq. Florida Bar No. 729353 Lansing C. Scriven, P.A. 633 N. Franklin Street Suite 600 Tampa, FL 33602 813/227-8700

Special Counsel

and

Thomas C. MacDonald, Jr., Esq. General Counsel Florida Judicial Qualifications Commission 100 North Tampa St., Suite 2100 Tampa, FL 33602 813/221-2500

Respondent

Matthew E. McMillan 3311 46th Plaza East

Bradenton, FL 34203

Counsel for Respondent, Judge Marthew E. McMillan

Arnold D. Levine, Esq.

Florida Bar No.

Levine, Hirsch, Segall & Brennan, P.A.

100 S. Ashley Dr.

Suite 1600

Tampa, FL 33602

Scott K. Tozian, Esq.

Florida Bar No.

Smith and Tozian, P.A.

109 N. Brush St.

Suite 150

Tampa, FL 33602

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing STIPULATION FOR SUSPENSION has been furnished by U.S. Mail to BROOKE S. KENNERLY, Executive Director, Judicial Qualifications Commission, 400 S. Monroe, The Historic Capitol, Room 102, Tallahassee, FL 32399-6000; THOMAS C. MacDONALD, JR., ESQ., General Counsel, 100 N. Tampa Street, Suite 2100, Tampa, FL 33602; THE HONORABLE JAMES R. JORGENSON, Third District Court of Appeal, 2001 SW 117th Avenue, Miami, FL 33175-1716; JOHN R. BERANEK, ESQ., Counsel, Hearing Panel, Ausley & McMullen, 227 South Calhoun St., P.O. Box 391, Tallahassee, FL 32301, this 2910/day of January, 2001.

CHAIRMAN

~F-QLQ